



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/917,676	07/31/2001	Carl Bruecken	06975-195001	1181

26171 7590 02/27/2006

FISH & RICHARDSON P.C.
P.O. BOX 1022
MINNEAPOLIS, MN 55440-1022

EXAMINER

BAYAT, BRADLEY B

ART UNIT	PAPER NUMBER
----------	--------------

3621

DATE MAILED: 02/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/917,676	Applicant(s) BRUECKEN, CARL	
	Examiner Bradley B. Bayat	Art Unit 3621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9, 11, 13, 14, 31, 32, 34, 35, 39, 42, 43 and 45-59 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11, 13, 14, 31, 32, 34, 35, 39, 42, 43 and 45-59 is/are rejected.
- 7) ☒ Claim(s) 1, 31 and 32 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of: -
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of Claims

This communication is in response to remarks and amendment filed on November 28, 2005.

- Claims 1 and 13 have been amended.
- New Claims 49-59 has been added.

Thus, claim 1-9,11,13,14,31,32,34,35,39,42,43 and 45-59 remain pending.

Response to Arguments

Applicant's arguments filed on November 28, 2005 have been fully considered but they are not persuasive.

As indicated in the telephonic interview and the previous office action, the language of claims 1, 31 and 32 is merely a statement of possibility. The claim language of "enabling a user..." for instance does not indicate a definite scope in the claim. For instance, enabling a user to enter personalized transaction identification information about a transaction using an input device could encompass providing a mouse, keyboard, a web page etc... It is unclear how this mere statement of possibility describes the scope in which applicant claims as the invention. The fact that applicant has submitted new dependent claims incorporating the language recommended does not overcome the objection.

Applicant argues, "Ganeson does not describe or suggest the particular distribution of information among two data stores (response p. 10)." Applicant further argues that Ganeson fails to provide for "transaction identification information about a transaction." Id.

Art Unit: 3621

In fact, Ganeson provides for multiple entities distribution databases (user DB, bank DB, billing DB, EPCS DB) as shown in figure 4. These distinct databases can store information and aggregated for presentation via a user interface (see columns 7-8). In fact, Ganeson describes that a database can store banking related transaction histories with regard to each transaction (column 8, lines 25-38). Ganeson also notes that “any one of the other entities could also be an aggregator of the system,” not necessarily the banking entity (column 8, lines 6-10).

Applicant contends that Fulton describes “allowing a user to enter personalized name to identify a bank account” rather than a transaction (response p. 10). Fulton teaches how various aspects of an online transaction/banking system can be customized and personalized by a user (see Figure 4 and associated text). Moreover, Fulton is combined with Ganeson to further show how such an aggregation of information can be personalized and provided as part of a user display. Accordingly, the rejection is maintained and made FINAL.

Claim Objections

Independent claims 1, 31 and 32 are objected to because of the following informalities:

- Applicant uses terminology such as “enabling a user...” or “enabling presentation to the user...” in the body of the claims. The examiner has applied art as though these limitations are more than just “enabling” due to the telephonic interview with applicant. Therefore, the examiner suggests that in lieu of “enabling” language, applicant provide a positive recitation of the limitations such as: “a user entering personalized transaction information...” or “presenting to the user...” In addition, all dependent claims that refer to such language should be accordingly modified.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1-9, 11, 13, 14, 31, 32, 34, 35, 39, 42, 43, and 45-59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ganesan, et al. (hereinafter Ganesan, 6,055,567) in view of Fulton et al. (hereinafter Fulton, 6,182,052).

1. As per claims 1, 31 and 32, Ganesan discloses a method for maintaining and matching transaction identification information for banking transactions, the method comprising: enabling a user to enter transaction identification information about a transaction using an input device (column 5, line 62-column 6, line 2; column 13, lines 17-24); storing the transaction identification information in a data store maintained by a host/local to a user (column 5, lines 45-61; column 6, lines 20-25); accessing the personalized transaction identification information from the data store/local data store (column 7, line 64-column 7, line 60; column 9, lines 1-24); accessing online banking transaction information from a bank data store maintained by a bank that is logically or physically distinct from the host/local data store (columns 5-7; distributed database method); and matching the transaction identification information with the online banking transaction information (column 6, line 26-column 10, line 52; figures 4, 7, 8 and associated text).

Although Ganesan provides a comprehensive and dynamic distributed billing and banking data accessing and aggregation method between various distinct entities and allows for

Art Unit: 3621

user data input and modification via a user interface, Ganesan does not expressly disclose aggregation of banking transaction information and inputted personalized transaction information for presentation to the user.

Fulton, however, teaches a method for implementing a communication network interface adapted to provide a multiplicity of user input functions enabling personalized banking and bill paying transactions and generating displays for providing detail presentation of various banking transactions (column 1, line 55-column 2, line 63). In fact, Fulton teaches and provides a customized banking presentation menu screen that assembles account information, personalized transactions data and information wherein “the participating financial institution interacts with the user by making user’s accounts available for information and or transactional purposes (column 5, line 38-column 6, line 63; fig 10-13 and associated text).

It would have been obvious for one of ordinary skill in the art at the time of the invention to implement Fulton’s dynamic user interface platform network to perform a multitude of transactions electronically while providing a customized and comprehensive transaction, banking and billing presentation system allowing for detailed group categorization and data compilation, while promoting efficiency and organization.

As per the following claims, Ganesan further discloses:

2. The method of claim 1 wherein enabling the user to enter the personalized transaction identification information comprises enabling the user to enter the personalized transaction

identification information contemporaneously with the transaction (column 2, lines 45-56; figure 10 and associated text).

3. The method of claim 1 wherein enabling the user to enter the personalized transaction identification information comprises enabling the user to enter the personalized transaction identification information subsequent to the transaction (figure 16 and associated text).

4. The method of claim 1 wherein the input device comprises a keypad (column 2, lines 62-67).

5. The method of claim 1 wherein the input device comprises a PDA (column 6, line 63-column 7, line 63).

6. The method of claim 1 further comprising transferring the personalized transaction identification information from the input device to the host using a transfer protocol (column 12, line 42-column 14, line 44; figure 20 and associated text)

7. The method of claim 6 wherein the transfer protocol comprises infrared (IR) beaming (column 6, lines 60-62).

8. The method of claim 6 wherein the transfer protocol comprises a synchronizing method (column 14).

Art Unit: 3621

9. The method of claim 1 wherein the personalized transaction identification information comprises at least one of a description of a purchase, a check number, and an amount (figures 17-19 and associated text).

10. CANCELED

11. The method of claim 1 wherein matching the personalized transaction identification further comprises generating audit data, the audit data providing a differential value between personalized account balance data corresponding to the personalized transaction identification information and online banking account balance data (figure 17 and associated text)

12. CANCELED

13. The method of claim 1 wherein the data store comprises a third party facility maintained by a third party and accessing the personalized transaction identification information comprises accessing the personalized transaction identification information from the third party storage facility through an ISP (column 2, line 45-column 4, line 26).

14. The method of claim 1 wherein the host comprises an ISP (column 7, lines 1-2).

Claims 15-30, 33, 36-38, 40-41, and 44 are canceled.

Art Unit: 3621

Dependent claims 34, 35, 39, 42, 43, 45-59 are directed to method claims described above and are rejected accordingly.

Although the Examiner has pointed out particular references contained in the prior art(s) of record in the body of this action, the specified citations are merely representative of the teachings in the art as applied to the specific limitations within the individual claim. Since other passages and figures may apply to the claimed invention as well, it is respectfully requested that the applicant, in preparing the response, to consider fully the entire references as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior arts or disclosed by the examiner.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- US Patent 6,792,422 B1 to Stride et al.
- US Patent 6,513,019 B2 to Lewis.
- US Patent 5,903,881 to Schrader et al.
- US Patent 5,682,027 to Bertina et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bradley B. Bayat whose telephone number is 571-272-6704. The examiner can normally be reached on Tuesday - Friday 8 a.m.-6:30 p.m. and by email: bradley.bayat@uspto.gov. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached regarding urgent matters at 571-272-6712.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Or faxed to:

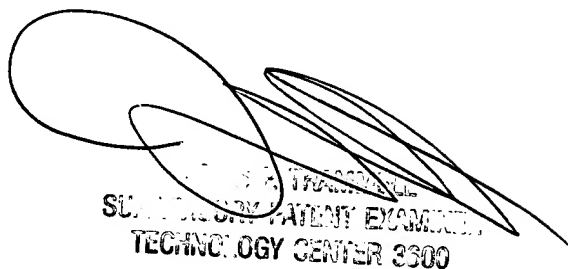
Art Unit: 3621

(571) 273-8300 - Official communications; including After Final responses.

(571) 273-6704 - Informal/Draft communications to the examiner.

bbb

February 16, 2006



Handwritten signature: [Signature]
ST. LOUIS PATENT EXAMINER
TECHNOLOGY CENTER 3600